

breach was the third breach for both Lewin and Apatoff in less than two years and the fourth breach by Lewin within two and one-half years.

**FOR FURTHER INFORMATION CONTACT:** Carol McCue Verratti, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-3088. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission can also be obtained by accessing its Internet server (<http://www.usitc.gov>).

**SUPPLEMENTARY INFORMATION:** In connection with the Wire Rod investigation, Messrs. Lewin, Apatoff, and one other attorney filed applications for access to APO information with the Commission. In the applications, they swore (i) not to disclose without written permission any of the information obtained under the APO except to certain enumerated categories of approved persons, (ii) to serve all materials containing BPI disclosed under the APO as directed by the Secretary, and (iii) to otherwise comply with the terms of the APO and the Commission's regulations regarding access to BPI. They also acknowledged in the APO that violation of the APO could subject them, and their firm, to disbarment from practice before the Commission, referral to the U.S. Attorney or appropriate professional association, or "[s]uch other administrative sanctions as the Commission determines to be appropriate \* \* \*" 19 CFR 206.17(d). The Commission granted their applications.

The firm with which Lewin and Apatoff were affiliated at the time of this breach and the prior breaches was very experienced in Commission practice and Lewin, Apatoff, and other attorneys at the firm appeared regularly before the Commission and sought access to APO information on a regular basis. None of the prior breaches committed by Lewin or Apatoff were egregious enough to warrant a public reprimand when considered separately, and were instead dealt with through private means. Although this breach is no more egregious than the prior breaches, the Commission is issuing this public reprimand because it takes very seriously its responsibility to safeguard the BPI it acquires during its investigations. The Commission cannot allow private attorneys to gain access to other parties' BPI and to treat it in a careless way on multiple occasions.

Therefore, the Commission has decided that this public reprimand is appropriate. The Commission has decided not to suspend Lewin's and Apatoff's access to APO information at this time because they have not been the subject of any breach allegations since this breach occurred almost two years ago.

Martin J. Lewin and Adam S. Apatoff are reprimanded for failing to delete BPI from the public version of the pre-hearing brief they filed on behalf of their client in this investigation and for committing multiple APO breaches over a relatively short period of time.

The authority for this action is conferred by section 206.17(d) of the Commission's Rules of Practice and Procedure (19 CFR 206.17(d)).

Issued: April 10, 2001.

By order of the Commission.

**Donna R. Koehnke,**  
Secretary.

[FR Doc. 01-9270 Filed 4-13-01; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-455]

### In the Matter of Certain Network Interface Cards and Access Points for Use in Direct Sequence Spread Spectrum Wireless Local Area Networks and Products Containing Same; Notice of Change of Administrative Law Judge

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to change the presiding administrative law judge ("ALJ") in the above-captioned investigation from Judge Paul J. Luckern to Judge Debra Morriss. This change was effective as of April 10, 2001.

**FOR FURTHER INFORMATION CONTACT:** Tim Yaworski, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, tel. (202) 205-3096. Hearing impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at (202) 205-1810. General information concerning the Commission may also be obtained by accessing the Commission's internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's

electronic docket (EDIS-ON-LINE) at <http://www.usitc.gov/eol/public>.

**SUPPLEMENTAL INFORMATION:** The Commission instituted this investigation on April 3, 2001, based on a complaint filed by Proxim, Inc. Fourteen firms were named as respondents. Judge Paul J. Luckern was designated as the presiding ALJ.

Approximately three weeks earlier, on March 14, 2001, the Commission instituted Inv. No. 337-TA-454, Certain Set-Top Boxes and Components Thereof. Judge Debra Morriss was designated as the ALJ in that investigation.

On March 21, 2001, Judge Morriss issued a notice in which she advised the parties in the Set-Top Box investigation that she owns one of the accused set-top boxes and that she has an ongoing service contract with DISH Network, which she believes is related to EchoStar Communications Corporation, one of the respondents. In light of these disclosures, Judge Morriss stated that, if any party requested her disqualification as ALJ in the Set-Top Box investigation, she would seek to recuse herself from the investigation. She directed each party to file a written submission on her attorney-advisor by April 2, 2001, indicating whether the party requested her disqualification or, alternatively, whether the party consented to her continuing to preside over the investigation.

By notice issued on April 4, 2001, Commission Chairman Stephen Koplan directed that the submissions ordered by Judge Morriss be filed with the Commission by the close of business on April 6, 2001.

Respondents Pioneer Corporation, Pioneer North America, Inc., Pioneer Digital Technologies, Inc., and Pioneer New Media Technologies, Inc., subsequently filed a submission with the Commission requesting disqualification of Judge Morriss as ALJ.

On April 10, 2001, the Commission issued an order designating Judge Luckern as the presiding ALJ in the Set-Top Box investigation and an order designating Judge Morriss as the presiding ALJ in this investigation.

The authority for the Commission's action is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337). Copies of the ALJ's notice, the Commission's order, and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000.

Issued: April 10, 2001.  
By Order of the Commission.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 01-9269 Filed 4-13-01; 8:45 am]

**BILLING CODE 7020-02-U**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-454]

### In the Matter of Certain Set-Top Boxes and Components Thereof; Notice of Change of Administrative Law Judge

**AGENCY:** International Trade  
Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to change the presiding administrative law judge ("ALJ") in the above-captioned investigation from Judge Debra Morriss to Judge Paul J. Luckern. This change was effective as of April 10, 2001.

**FOR FURTHER INFORMATION CONTACT:** Tim Yaworski, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, tel. (202) 205-3096. Hearing impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at (202) 205-1810. General information concerning the Commission may also be obtained by accessing the Commission's internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://www.usitc.gov/eol/public>.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on March 14, 2001, based on a complaint filed on behalf of Gemstar-TV Guide International, Inc. and StarSight Telecast, Inc. Seven firms were named respondents. Judge Debra Morriss was designated as the presiding ALJ.

On March 21, 2001, Judge Morriss issued a notice in which she advised the parties that she owns one of the accused products (an EchoStar 4900 set-top box) and that she has an ongoing service contract with DISH Network, which she believes is related to EchoStar Communications Corporation, one of the respondents. In light of these disclosures, Judge Morriss stated that, if any party requested her disqualification as ALJ, she would seek to recuse herself from the investigation. She directed each party to file a written submission on her attorney-advisor, Ms. Cynthia

Lynch, by April 2, 2001, indicating whether the party requested her disqualification or, alternatively, whether the party consented to here continuing to preside over the investigation.

By notice issued on April 4, 2001, Commission Chairman Stephen Koplan directed that the submissions ordered by Judge Morriss be filed with the Commission by the close of business on April 6, 2001.

Respondents Pioneer Corporation, Pioneer North America, Inc., Pioneer Digital Technologies, Inc., and Pioneer New Media Technologies, Inc. subsequently filed a submission with the Commission requesting disqualification of Judge Morriss as ALJ.

On April 10, 2001, the Commission issued an order designating Judge Paul J. Luckern as the presiding ALJ in this investigation in place of Judge Morriss.

The authority for the Commission's action is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337). Copies of the ALJ's notice, the Commission's order, and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000.

Issued: April 10, 2001.

By Order of the Commission.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 01-9268 Filed 4-13-01; 8:45 am]

**BILLING CODE 7020-02-U**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

April 3, 2001.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation for BLS, ESA, and PWBA contact Marlene Howze ((202) 693-4120 or by email to [Howze-Marlene@dol.gov](mailto:Howze-Marlene@dol.gov)). To obtain

documentation for ETA, MSHA, OSHA, and VETS contact Darrin King ((202) 693-4129 or by E-Mail to [King-Darrin@dol.gov](mailto:King-Darrin@dol.gov)).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Type of Review:* Extension of a currently approved collection.

*Agency:* Pension and Welfare Benefits Administration (PWBA).

*Title:* Participant Directed Individual Account Plans (ERISA section 404(c) Plans).

*OMB Number:* 1210-0090.

*Affected Public:* Individuals or households; Business or other for-profit; and Not-for-profit institutions.

*Frequency:* On occasion.

*Number of Respondents:* 294,800.

*Estimated Time Per Response:* 294,800.

*Estimated Time Per Response:* 30 minutes.

*Total Burden Hours:* 52,900.

*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$22,126,000.

*Description:* Section 404(c) of the Employee Retirement Income Security Act of 1974 (ERISA) provides that if a pension plan that provides for individual accounts permits a participant or beneficiary to exercise control over assets in his account and that participant or beneficiary in fact exercises such control, the participant